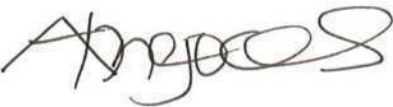


OPEN MEETING AGENDA ITEM
MEMORANDUM

TO: Docket Control

FROM: Elijah O. Abinah 
Director
Utilities Division

DATE: December 15, 2021

RE: IN THE MATTER OF IMPACT OF THE CLOSURES OF FOSSIL-BASED
GENERATION PLANT ON IMPACTED COMMUNITIES. (DOCKET NO. E-
00000A-21-0010)

SUBJECT: STAFF REQUESTS FOR SUGGESTIONS REGARDING UPCOMING
PROCEDURAL AND SUBSTANTIVE WORKSHOPS

On November 9, 2021, the Arizona Corporation Commission (“ACC” or “Commission”) issued Decision No. 78317 (the “Decision”) in the most recent rate case for Arizona Public Service Company (“APS”).¹ This Decision ordered Commission Utilities Division Staff (“Staff”) to conduct several activities within the generic docket In the Matter of Impacts from the Closure of Fossil-Based Generation Plant on Impacted Communities (Docket No. E-00000A-21-0010) (“Generic Transition Docket” or “Docket”).² These include: 1) organizing a procedural workshop within 90 days of the date of the Decision, 2) proposing to the Commission a timeline of activities for the Generic Transition Docket within 30 days of the procedural workshop, and 3) conducting an initial substantive workshop within 90 days of the date of the Decision, and including this workshop in the proposed timeline.

Pursuant to these requirements, Staff has scheduled and noticed a procedural workshop scheduled for January 6, 2022.

In order for Staff to effectively plan the agenda of the procedural workshop, Staff encourages all interested stakeholders in Docket No. E-00000A-21-0010 to submit information in this Generic Transition Docket regarding proposed content, presenters, and invitees for the procedural workshop by the deadlines listed below.

Staff also encourages all interested stakeholders to participate by providing comments in this Docket and/or commenting at the workshop on the topics identified in Attachment A herein.

¹ Decision No. 78317, Docket No. E-01345A-19-0236, Nov. 9, 2021, <https://docket.images.azcc.gov/0000205236.pdf>.

² Id. at 431-32.

Staff requests that any stakeholders interested in presenting at the procedural workshop notify Staff by contacting Ben Champion at blchampion@azcc.gov or (602) 542-5615 by 5 p.m. on December 28, 2021.

Staff further requests that any recommendations regarding proposed content or presenters for the procedural workshop also be submitted by 5 p.m. on December 28, 2021.

EOA:BLC:jn/MAS

Originator: Ben Champion

Attachment

PROCEDURAL WORKSHOP TOPICS

In Decision No. 78317, the Commission ordered Staff to “hold a procedural workshop to develop and discuss with stakeholders a timeline and process for determining how the Commission should further address the following:

- Proactively seeking out and engaging members and representatives from legislature, the governor’s office, state and federal agencies, tribal nations, New Mexico Public Regulatory Commission, relevant non-governmental organizations, joint owners of relevant fossil-based generation, and regulated and unregulated electric utilities operating in Arizona and other states;
- Finding and obtaining opportunities to receive state or federal funds or other forms of support to assist Arizona communities impacted by the closure of fossil-based generation;
- Making and assisting third parties in their efforts to seek funds or other forms of support for Arizona communities impacted by the closure of fossil-based generation;
- Establishing a task force consisting of governmental entities and tribal advocates who are or should be involved in the development of policy on issues concerning Arizona communities impacted by the closure of fossil-based generation; and
- Holding workshops, town halls, public comment sessions, stakeholder meetings, or other forms of progress to seek a reasonable and timely resolution on the items detailed above.”¹

Staff invites all interested stakeholders to provide written comments on these topics, and be prepared to discuss the issues listed above, at the procedural workshop scheduled for January 6, 2022. In addition, Staff invites all interested stakeholders to share any suggestions regarding who should be invited to speak at the workshop in this Docket, or who should be invited by Staff to attend the workshop and participate to represent unique perspectives on the issues. Suggestions and requests regarding participation in the workshop should be docketed or sent to Ben Champion at blchampion@azcc.gov no later than 5 p.m. on December 28, 2021, to allow adequate opportunity for Staff to process the suggestions and requests.

In addition to any other relevant topics, Staff would very much appreciate comments regarding the following topics and questions:

¹ Decision No. 78317, Docket No. E-01345A-19-0236, 431, lines 7-25, Nov. 9, 2021, <https://docket.images.azcc.gov/0000205236.pdf>.

1. Topics

- a. Methods of identifying funding opportunities for impacted communities;
- b. Organizations or individuals who could aid in identifying funding opportunities for impacted communities;
- c. Methods of identifying non-funding types of support for impacted communities;
- d. Organizations or individuals who could aid in identifying other types of support for impacted communities;
- e. Governmental entities and tribal advocates that could or should take part in a policy task force;
- f. Process or timeline for establishing a policy task force;
- g. Desired outputs or outcomes from such a policy task force;
- h. Structure or governance of such a policy task force, including but not exclusive to representation and membership, potential advisory committees or subcommittees, and relationship to governmental agencies, tribes, impacted communities, or other stakeholders; and
- i. The best approaches for proactively seeking out and engaging members and representatives from the legislature, governor's office, state and federal agencies, tribal nations, New Mexico Public Regulatory Commission, relevant non-governmental organizations, joint owners of relevant fossil-based generation, and regulated and unregulated electric utilities operating in Arizona and other states.

2. Questions

- a. In light of federal funding available to tribes and communities in Arizona through the American Rescue Plan Act of 2021 and the Infrastructure Investment and Jobs Act, and potential funding available through the pending Build Back Better federal legislation, is there still a need for ratepayers to financially support the transition efforts of the tribes and communities?
- b. How should the availability of the above federal funding opportunities impact the Commission's Generic Transition Docket process or activities pursuant to Decision No. 78317?

- c. How should the availability of the above federal funding opportunities impact the content of a detailed timeline and proposal by Staff, identifying how Staff and stakeholders plan to work together to address and ultimately obtain any additional resolution to the Generic Transition Docket issues detailed in Decision No. 78317?